

## Assembly Bill No. 2869

### CHAPTER 924

An act to add Sections 19533.6 and 19614.3 to the Business and Professions Code, relating to horse racing.

[Approved by Governor September 25, 2002. Filed  
with Secretary of State September 26, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2869, Horton. Horse racing.

Existing law permits mule races to be conducted by any county fair, district agricultural association fair, or citrus fruit fair, under specified circumstances. Existing law provides that a license to conduct a racing meeting granted to an association other than a fair shall be for only one type of racing, except where specified.

This bill would provide that a racing association licensed to conduct a live quarter horse racing meeting may also conduct mule racing at that meeting, with the approval of the California Horse Racing Board, and subject to other specified conditions.

Existing law requires thoroughbred racing associations to pay out certain percentages of the total amount handled, and of the portion deducted from the parimutuel pool, for license fees, purses, and commissions, as specified.

This bill would allow a thoroughbred racing association and the organization representing thoroughbred horsemen to agree to reduce the portion deducted from the parimutuel pool for purses and commissions provided that the change only affect funds available for purses and commissions. This bill would also provide that any collective bargaining agreement premised in part on the amount of commissions earned would continue to be calculated based on the amount of commissions that would have been earned had this provision not become law. It would make an agreement to reduce the portion deducted from the parimutuel pool for purses and commissions subject to the approval of the California Horse Racing Board, and would prohibit that approval unless notice has been given to any labor organization that could be affected by the agreement.

*The people of the State of California do enact as follows:*

SECTION 1. Section 19533.6 is added to the Business and Professions Code, to read:

19533.6. Notwithstanding Section 19533, the board may authorize any racing association licensed to conduct a live quarter horse racing meeting to also conduct mule racing at that racing meeting, subject to the following conditions:

(a) Mule races may only be conducted when a fair is not licensed to conduct live races with parimutuel wagering.

(b) The consent of the quarter horse horsemen's organization contracting with the association shall be obtained with respect to the inclusion of mule racing.

(c) The majority of the races conducted on any given racing day shall be quarter horse races.

(d) A quarter horse association may conduct mule races provided that the total number of Arabian and mule races run in a year do not exceed the total number of Arabian races run in the state in 2001.

(e) An Arabian race with seven or more entries shall not be replaced by mule race, without the consent of the organization that represents Arabian horsemen and horsewomen.

SEC. 2. Section 19614.3 is added to the Business and Professions Code, to read:

19614.3. (a) Notwithstanding any other provision of law, a racing association and the organization representing horsemen may agree to reduce the portion deducted from the parimutuel pool for purses and commissions, provided that the change only affect funds available for purses and commissions.

(b) Any collective bargaining agreement that is premised in part on the amount of commissions earned shall continue to be calculated based on the amount of commissions that would have been earned had this section not become law.

(c) An agreement by a horsemen's organization and a racing association to reduce the portion deducted from the parimutuel pool for purses and commissions is subject to the approval of the California Horse Racing Board, and may not be approved unless notice has been given to any labor organization that could be affected by the agreement.

